

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

DYSON B2B, INC. and	)	
DYSON EXCHANGE LIMITED,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 09-5203-GP
	)	
AAA KITCHEN & BATH DISTRIBUTOR,	)	
INC.,	)	
	)	
Defendant.	)	

**CONSENT DECREE**

Plaintiffs Dyson B2B, Inc. and Dyson Exchange Limited (collectively “Dyson”) having filed an action for trademark infringement and unfair competition against Defendant AAA Kitchen & Bath Distributor, Inc. (“AAA Kitchen”), Dyson having filed a Motion for a Preliminary Injunction Against AAA Kitchen, and the parties having agreed on an amicable basis for resolution of the Motion, without hearing or adjudication of the issues of fact and conclusions of law manifested by said Motion, through entry of this Consent Decree.

IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. Dyson Exchange Limited is the exclusive licensee of U.S. Trademark Registration No. 3,311,564 for the use of AIRBLADE in connection with *inter alia* “drying apparatus, namely, hand dryers, tumble dryers; hairdryers; parts and fittings for all the aforesaid goods.” Since at least August 2007, Dyson B2B, Inc. has sold its hand dryers in the United States under the AIRBLADE trademark.

2. AAA Kitchen acknowledges the validity and enforceability of U.S. Trademark Registration No. 3,311,564 for the mark AIRBLADE and the validity and enforceability of Dyson's rights in the mark AIRBLADE.

3. AAA Kitchen has infringed the AIRBLADE trademark by using that mark in connection with the sale of hand dryers.

4. Provided that the terms of this Consent Decree and the Settlement Agreement entered into by the parties dated December 11, 2009 are honored by AAA Kitchen, Dyson hereby waives its right to pursue further monetary damages for violations based upon AAA Kitchen's past accused conduct, up to the date of this Consent Decree.

5. AAA Kitchen, as well as any and all of its respective parents, subsidiaries, divisions, related and/or affiliated companies, shall be and are hereby permanently enjoined from making, using, offering to see or selling in the United States, or importing into the United States, any product bearing the AIRBLADE mark that are within the scope of Dyson's U.S. Trademark Registration No. 3,311,564 for the AIRBLADE mark.

6. AAA Kitchen, as well as any and all of its respective parents, subsidiaries, divisions, related and/or affiliated companies, shall also be and are hereby permanently enjoined from making, using, offering to sell or selling in the United States, or importing into the United States, any product bearing any other marks or designations confusingly similar to the AIRBLADE mark that are within the scope of Dyson's U.S. Trademark Registration No. 3,311,564 for the AIRBLADE mark.

7. The rights, benefits and obligations under this CONSENT DECREE shall inure to the parties hereto as well as to their respective representatives, successors and assigns, and shall be binding upon each of said parties hereto as well as their respective representatives, successors

and assigns.

8. This Court shall retain jurisdiction over this matter for enforcement of this Consent Decree and over the parties' Settlement Agreement entered into on December 11, 2009.

IT IS FURTHER ORDERED:

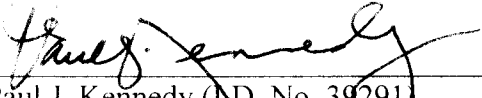
That all other matters relating to Dyson's Motion for a Preliminary Injunction are withdrawn and each party is to bear its own respective costs and attorneys' fees, in view of this CONSENT DECREE.

ENTERED, this \_\_\_\_ day of \_\_\_\_\_, 2009, by the United States District Court for the Eastern District of Pennsylvania.

BY THE COURT:

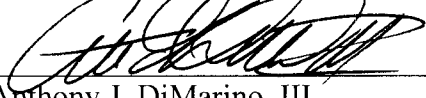
\_\_\_\_\_  
Gene E.K. Pratter, J.

Approved on Behalf of Plaintiffs  
DYSON B2B, INC. and  
DYSON EXCHANGE LIMITED

By: 

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Approved on Behalf of Defendant  
AAA KITCHEN & BATH  
DISTRIBUTOR, INC.

By: 

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